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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

206**CRM-M-55539-2024**

Date of Decision:- 21.02.2025

Anil Panchal

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Ashish Tewatia, Advocate with
Mr. Shivangi Sen, Advocate for petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

AMARJOT BHATTI, J.

1. Petitioner Anil Panchal has filed petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.142 dated 26.07.2024, under Sections 137, 351(2), 61, 64(1), 87 of BNS, 2023 registered at Police Station Hassanpur, District Palwal.

2. As per facts of the case, complainant (father of the victim) filed written complaint to the police that on 20.07.2024 at about 5:30 PM, the victim went to Hodal along with documents for getting sewing machine from the government but she did not return home. Thereafter, on 26.07.2024 his daughter returned home and disclosed that at the instance of sister-in-law, she accompanied Anil Panchal on his motorcycle for going to Hodal. She was given some intoxicant substance, as a result, she got sick. He took her to different places and also withdrew Rs.6,000/- from her account. They



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stayed in a rented room from 21.07.2024 to 25.07.2024 where she was forcibly raped. On 25.07.2024, she was left at bus stand Ballabgarh by extending threats to her. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that he was granted interim bail by the Coordinate Bench vide impugned order dated 08.11.2024 and in pursuance of this order, he has already joined the investigation. All the allegations levelled against him are false. The alleged victim was major. There was consensual relationship. In support of this, he has placed on record the photographs (Annexure P-3) and WhatsApp chat Annexure P-4. He is ready to abide by the terms of bail order. Therefore, his anticipatory bail petition may be allowed.

4. Learned counsel representing State has already filed status report through Registry, which is taken on record. He confirmed that petitioner has already joined the investigation and he is not required for further investigation. However, the allegations levelled against him are serious. Copy of MLR is annexed with the status report. Statement of the victim was recorded under Section 183 of BNSS (Annexure R-2) where the victim has confirmed the allegations. Therefore, considering the nature of allegations, petitioner is not entitled to be released on bail.

5. I have considered the arguments and have gone through the record. In the case in hand victim has levelled allegations of rape against the present petitioner. The victim is major. As per the version of present petitioner, they were in a consensual relationship and to support this fact, he is relying upon certain photographs and WhatsApp chat. So far as the



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allegations and the defence raised by the petitioner is concerned that is matter of trial. At present petitioner has fully cooperated with the investigating agency. Therefore, no purpose would be served by sending him behind the bars. He is still ready to abide by the terms of bail order. Therefore, interim bail already granted in favour of petitioner vide order dated 08.11.2024 stands confirmed subject to the conditions detailed under Section 482(2) BNSS.

6. Petition is accordingly disposed of.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

21.02.2025

*Sunil Devi***(AMARJOT BHATTI)****JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No